

HANSARD

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COMMITTEE

ON

PUBLIC ACCOUNTS

Wednesday, September 10, 2014

LEGISLATIVE CHAMBER

**Public Service Commission
Overtime Costs to Government**

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Public Accounts Committee

Mr. Allan MacMaster, Chairman

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Ms. Suzanne Lohnes-Croft

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Mr. Tim Houston

Hon. Maureen MacDonald

Hon. David Wilson

In Attendance:

Ms. Kim Leadley
Legislative Committee Clerk

Mr. Gordon Hebb
Chief Legislative Counsel

Mr. Michael Pickup
Auditor General

Ms. Evangeline Colman-Sadd
Assistant Auditor General

WITNESSES

Public Service Commission

Ms. Laura Lee Langley, Commissioner

Ms. Cynthia Yazbek, Executive Director, Employee Relations and Benefits



House of Assembly
Nova Scotia

HALIFAX, WEDNESDAY, SEPTEMBER 10, 2014

STANDING COMMITTEE ON PUBLIC ACCOUNTS

9:00 A.M.

CHAIRMAN

Mr. Allan MacMaster

VICE-CHAIRMAN

Mr. Iain Rankin

MR. IAIN RANKIN (Chairman): Good morning everyone, I'd like to call the meeting to order. Before we begin, I'd like to ask that we put all our cellphones on silent or vibrate. I am Iain Rankin, I'm filling in for the chairman, Allan MacMaster.

We can start with the introduction of members, starting with Mr. Maguire.

[The committee members and witnesses introduced themselves.]

MR. CHAIRMAN: Today we have the following item on the agenda: the Public Service Commission, relevant to the costs of overtime to government. We'd like to start with the opening statement from Ms. Langley.

MS. LAURA LEE LANGLEY: Thank you, Mr. Chairman. Good morning everyone and thank you for inviting us to discuss the topic of overtime costs in the civil service.

With me today is Cynthia Yazbek who is the Executive Director of Employee Relations and Benefits. She is going to be able to address some of the technical questions in areas where I may not have a steeped, immediate recollection of detail.

I want to thank you, as well, for the opportunity to provide you with some information in advance of today's session. As you will see in the information provided to the committee, costs for overtime in the civil service are and have been consistent over the past number of years. I might add that the percentage of our overall payroll that is allocated to overtime is less than in many other provincial jurisdictions that we have studied and is consistent with our federal colleagues.

But I would like to make it clear before the committee today at the outset that while costs have been consistent, that does not mean that departments are not always looking at ways to reduce the use of overtime and to find ways to use our resources in a manner that would reduce the need for overtime.

I would like to take a moment to touch on some of the reasons why overtime is used in the civil service. We know that across jurisdictions and sectors there will always be instances where overtime is necessary. While many may believe that government work is an 8:30 a.m. to 4:30 p.m. proposition, in fact, there are many instances that our workers are not working a typical workday. Some departments have responsibilities that routinely require that we call workers to serve at odd hours, on weekends, and instances when in spite of our best efforts, things happen that are beyond our control and we need people on deck. For example, earlier this year Tropical Storm Arthur blew across Nova Scotia, causing storm surging, flooding and damage that required the attention of employees from departments such as Transportation and Infrastructure Renewal, Natural Resources, and our team at Emergency Management, just to mention a few. This is one example.

Sadly, there are times when our employees are called upon to rescue and then attend to a child in a crisis circumstance. Our justice system, for example, relies on workers who can be called upon to assist with the movement of prisoners no matter what time of the day or night. These are just a few examples of when overtime is a necessary part of civil service work.

We are always looking for ways we can mitigate these costs. Are there better ways to use our resources and assign our workers so that we may reduce the burden on them and on our budgets? Aside from the emergent need for workers that I've just mentioned, are there other things we need to consider that trigger the need for and the use of overtime? For example, absenteeism is one factor that in some instances can trigger overtime. While in many cases there would not be a need to backfill when an employee is absent, there are certainly others where there are front-line service delivery consequences if we don't replace those workers. In our jails, for example, corrections officers are necessary at all times. If there are illnesses, sometimes that will mean that a worker is called in on overtime or asked to stay to cover hours.

Another example of where this could happen is at our Access centres where we require a certain number of workers to serve Nova Scotians who are doing things like renewing drivers' licences, registering vehicles or getting an identification card.

Over this past year we have been developing tools that will allow us to look at employee absence patterns. This means we'll be able to see where the majority of workers are missing time and why. It will allow us to have conversations with employees about how we might create a healthy work environment, and also to discover things we might do to accommodate getting people back into the workplace after an absence - whether it be an injury or an illness - what measures can we introduce that make a difference in this regard?

Nova Scotia is the first province to commit to the psychological health and safety standards. We believe that will help. The psychological health and safety standards address issues around mental illness and mental health in the workplace.

We have expanded our 24-hour service in the Employee and Family Assistance Program, for example, as a means to support our employees and their families when they are in crisis or need support.

Finally, we're introducing a new abilities case management system that will help us more effectively work with employees who are on short- or long-term disability in an effort to get them well and have them return to the workplace. While these issues are specific to helping us manage absenteeism, we believe they will help us make a difference in overtime costs and how we use overtime, particularly in departments where we see the highest usage.

Another challenge we face sometimes is in recruitment. In Justice, for example, after two rounds of recent hiring there is still a need for corrections officers and this issue is not specific to Justice, but that is one area where we see an increased use of overtime and where we know we need to recruit workers.

As you look through the materials you've been given, I'd like to stress before I close that the data specific to overtime costs as a percentage of our total payroll is specific to the civil service. I would note that the package that was distributed to you prior to today's session contained articles and readings, for example, that referenced overtime in some health care settings. The Public Service Commission is not the employer in the majority of those instances so we cannot speak to the specifics of those cases or those in the broader public sector, but we can certainly address concerns that relate to those as they pertain to the civil service. I want to thank you, and I will now do my best to answer the questions you might have.

[9:08 a.m. Mr. Allan MacMaster took the Chair.]

MR. CHAIRMAN: Thank you, Ms. Langley. I've arrived a little bit late - I thought I could make it here from Quinpool Road in 15 minutes, but it's not the same as driving in Judique. (Laughter)

I'd like to welcome our new Auditor General, Michael Pickup. I think this is your first day with us here in the Chamber. Welcome to you, and I look forward - as I'm sure all the members on the committee are looking forward to working with you. So welcome.

We'll begin now with the PC caucus and Mr. Houston for 20 minutes.

MR. TIM HOUSTON: Thank you for that introduction. I know just at the end of your overview you referenced what was included in the package and what was covered by your area. I'm just wondering in terms of the excluded areas like the district health authorities and whatnot, does the Public Service Commission provide any human resources advice to those excluded departments? Is there any real connection on compensation or human resource management to them?

MS. LANGLEY: Thank you for the question. The district health authorities would be a separate employer and they would have their own human resources support and assistance and so we would not be involved in the interactions with their employees or in those kinds of transactions that take place with their employees.

MR. HOUSTON: Thank you for clarifying that. Can you give us an overview of the staffing levels of the Public Service Commission - maybe how many employees are covered and maybe a little breakdown between full-time, part-time, casual, whatever kind of metrics you have on that, just to kind of set the stage?

MS. LANGLEY: I can tell you that in the civil service right now we have 10,400 FTEs, that's full-time equivalents, and about 1,700 of those would be what we call excluded employees. They would be management or paid under the executive compensation plan, so about 1,700 excluded employees. The remainder would be what we call full-time equivalents.

To break those down for the committee in terms of full-time, part-time, casuals and whatnot, it is not data we mined for today but it's not an issue to get it for you and we can provide that to the committee.

MR. HOUSTON: Well, full-time equivalents is a topic that has had much discussion in this House at different times, so it's always fun to revisit it. So the overtime that we're kind of looking at now would come from those 8,700, or would some of those 1,700 excluded employees be eligible for overtime compensation as well or it just the remainder?

MS. LANGLEY: It's really just the remainder. The ECs - what I'll refer to them as - EC employees are not entitled, generally, to overtime. There would be circumstances when perhaps there would be an exceptional need to have them in the workplace. For example, a number of years ago when we were working through the H1N1 crisis, there were a number of EC employees who would have been involved in that for literally weeks

on end. Sometimes at the end of that the deputy head or deputy heads who would be involved may give time off in lieu so that that kind of work would be recognized but as a rule EC employees are not entitled to overtime. So yes, what we are talking about are the remaining employees.

MR. HOUSTON: Okay, just to kind of set the stage a little further, I'm just wondering if you can give us a quick overview of what maybe you see are the biggest issues facing the Public Service Commission at this time. What are the biggest things that keep you awake at night or are bothering you a little bit?

MS. LANGLEY: Well insofar as overtime is concerned, you know when I look at the overtime numbers and I go back year over year, I see that it's fairly consistent in Nova Scotia. The usage of overtime has ranged for the last number of years between about 1.5 per cent to 1.9 per cent of our overall payroll.

That doesn't mean that we don't have pockets where there is concern. We have three or four departments that use overtime on a regular basis, so when we dive into that and we look at what some of the reasons are, we think that we have a number of things we can address. One of them I referenced in my opening statement - I think we do see a correlation between absenteeism and the use of overtime in some of these departments that are using large amounts of overtime.

Then the question is, why are employees absent? Are the workloads heavy? Do we have enough workers? Those are the kinds of things that I would be paying attention to and I am sure that the deputy heads in those departments would be looking at. Are there different ways we can use resources so that we have coverage in those areas?

Absenteeism and recruitment are things that we're looking at; streamlining and making it a little easier. Perhaps if we can hire and pre-qualify pools of workers, which we are moving to do, it will make it easier to get a body in a chair rather than waiting eight or 12 weeks to hire somebody. These things are things we know we have to make easier and be more nimble in trying to get people in the workplace.

The psychological health and safety standards are a big deal for us. We know that when people are struggling with mental illness they are more inclined to miss longer periods of time. Bringing the psychological health and safety standards into the workplace, I think, is going to help us.

We have expanded the Employee and Family Assistance Program because we think that sometimes workers are absent not only because of their own issues with illness but because they have family members who are ill or require care. We believe that is going to make a difference as well. We worry about just making sure that all the tools are there for our employees.

I think the absence pattern reporting is going to help us because I think that will help us identify areas where people may be suffering fatigue or there could be issues that are affecting them that perhaps we can mitigate in the workplace to make it a little easier for them to deal with their responsibilities, and not feel as though they just need to use these programs to take a break.

MR. HOUSTON: I appreciate that. Just in terms of the cost of overtime to the province - I know we have a chart here with the departments under the Public Service Commission, but I'm just curious; there's overtime in the district health authorities and all the other different excluded bodies and agencies. Are you aware of any kind of central analysis that pulls all that together and tries to determine the cost of overtime to the people of Nova Scotia? Have you ever met with other groups and management structures and talked about it to see what they're doing? Is that something that happens?

MS. LANGLEY: I have not, but I would say that is not something that is out of the realm of possibility for us to take a look at, in terms of the cost of the entire public sector. I would say that recently the Department of Internal Services was formed and the Department of Internal Services is a shared service delivery department. It's designed to bring pools of like-positions together that serve government, basically, and some of the human resources of the district health authorities are being brought in under that department.

I think what that will do is streamline our efforts and make it so that we do have more consistent practices and we have more sharing of best practice. I think over the next number of years, the kind of information you're looking for will be more readily available and more broadly discussed.

MR. HOUSTON: Is that something that you sit with the minister and talk about - what other departments are doing. Have you met with the minister on the topic of overtime?

MS. LANGLEY: We, in fact, do talk about what we can do. As you can well imagine, in the current environment there are not many stones left unturned in terms of where we can save money and where we can reduce our costs. So in our world, overtime would be one of them and getting at, for example, the absenteeism, as I mentioned, getting at recruitment in a more timely way, as you can imagine, are all considered ways that we might be able to reduce those costs.

I can tell you that each deputy minister - as they look at their own costs and balancing their own budgets and making sure that all of their obligations are covered - would be looking at that in their own departments as well.

MR. HOUSTON: You mentioned some of the primary reasons for overtime, different things that occur and obviously spontaneous things that happen that require

overtime to deal with them. There are other reasons too with absenteeism and stuff like this. I'm wondering, is there a system in place that kind of breaks down overtime across those? Do you do an analysis on where it's actually coming from?

MS. LANGLEY: Yes, we have a number of ways to look at who is claiming overtime or who is being authorized to work overtime and where that work is. Then we also have this absence pattern reporting that I mentioned so we can see exactly by department and by function where our overtime costs are.

I'll use the Department of Justice as an example because we know that these are really high stress jobs and they're jobs where you have to have people there all the time. It would be something that we would look at to see what is happening there. Can we use our resources more efficiently or are there ways that we can help corrections officers, for example, in the workplace to make their lives easier and to prevent absenteeism. So yes, we would do that on a regular basis.

MR. HOUSTON: Are there a lot of vacancies in the Public Service Commission at the moment? Do you have a number for how many positions are vacant?

MS. LANGLEY: I don't have an exact number and the reason I don't is because it is very fluid - who is there and who isn't there, and who is leaving and who is coming and going - but I can tell you that our turnover rate is about 6 per cent. That's fairly consistent with other sectors. At any given time, we may have about 6 per cent of our jobs, FTEs, may be vacant.

MR. HOUSTON: Is there an idea as to how long the average time is to fill a vacancy?

MS. LANGLEY: It takes us a long time to fill vacancies. It takes us usually between eight to 12 weeks to fill a position. We believe that's too long and we have to be more nimble and have leaner processes to get people in chairs much more quickly than we do now. I can tell you that we are looking at leaning that process so that it can be much quicker.

MR. HOUSTON: So as a result of kind of a 6 per cent average vacancy rate, let's say, are there instances where more senior, higher-paid people are doing kind of lower-scale jobs, to backfill for the vacancies? I guess there probably would be some but I'm wondering what your sense is of how rampant that is.

MS. LANGLEY: No, I wouldn't say that. I would say what happens is that sometimes, through a competition process, that others would pick up that workload, other similar employees. Or sometimes through a competition process we may invite a casual in for the time that it takes to actually compete the position. What we really need to do is to be quicker at filling positions.

MR. HOUSTON: Yes, because I'm thinking if management is not picking up the slack for the vacancies, then the colleagues are and I'm assuming that that's generating some overtime. I wonder if there's any kind of analysis that's done that looks at the costs of an FTE versus kind of more work for the people who are there as you kind of determine staffing levels.

MS. LANGLEY: It's very complex because it always depends on where those vacancies are. Usually in a work unit when there is a vacancy, the team would either cover that workload, which is not ideal but it certainly happens, while a job is being competed or sometimes help would be brought in while the process is underway.

I wouldn't say that we get into that depth of analysis simply because every situation is so unique and it is a big machine, so I wouldn't say that we actually do what you're asking.

MR. HOUSTON: Are there certain times of the year when you consistently see more overtime being recorded?

MS. LANGLEY: Yes. Again, it's dependent on the department. For example, you can imagine that Transportation and Infrastructure Renewal, which is one of our biggest users of overtime, would see an increased use of overtime in the winter months when we have really unpredictable weather and storms can really dictate the number of bodies we need in the workplace to make sure that our roads are clean and safe.

MR. HOUSTON: Right, and I'm sure some of the other departments - not all of them, of course - some of them would be somewhat cyclical, there might be a time of year where it's kind of busier for those departments than other times of the year? I'm thinking towards the end of the fiscal year might be a busier time than some other points. Is that kind of the case for some of the other departments, too, that you do see kind of a cyclical bump?

MS. LANGLEY: No, I wouldn't say so. I would say that for example, Justice and Community Services, which also use large amounts of overtime, that's a constant. It's more the nature of the work in those areas. In Transportation and Infrastructure Renewal, certainly the winter season would cause a little more demand on the workers there. Natural Resources, perhaps some of the seasonal work of conservation officers during a hunting season - they would be out a little more than they are otherwise. I think those are the examples we would give.

I wouldn't say that there's any kind of a spike or any kind of a jump in costs during the end of the fiscal year, it's really just the way it trends constantly. You can see, for example, I think in the year-to-date data that we showed in the package we gave you that we are about halfway through the fiscal year and we are about halfway to \$10 million or \$12 million in overtime costs, that's what we would expect to trend at this time of year.

MR. HOUSTON: So in terms of your big generators of overtime, you mentioned DNR and you mentioned Transportation and Infrastructure Renewal. Most of the overtime is coming from a handful of departments as a rule, from what I could see. What would the top five departments be that are pulling your overtime?

MS. LANGLEY: I think that the Department of Community Services, the Department of Justice, the Department of Transportation and Infrastructure Renewal, Service Nova Scotia and Municipal Relations - which is now the Office of Service Nova Scotia, and the Department of Municipal Affairs. Then I would think the Department of Natural Resources, and the Department of Fisheries and Aquaculture as well - the conservation work there that is unpredictable.

MR. HOUSTON: You mentioned the Department of Transportation and Infrastructure Renewal earlier in terms of winter storms and this type of stuff. Obviously we see how that would generate overtime - particularly during the winter months you'd see more of it like February and maybe even into March.

We do have a new holiday coming this year and I'm wondering if you've done any analysis on how that may impact your budget numbers in terms of how much more overtime. What will be the cost of the new holiday in terms of overtime needs in your view?

MS. LANGLEY: Well unless we have a storm or some need, most workers would be on holiday that day. There are certainly operational requirements sometimes on holidays where you would require child care workers or if we have bad weather, there would be people on the road that day perhaps, but otherwise, I wouldn't anticipate that would add to overtime costs unless we had some urgent situation.

MR. HOUSTON: It's just as I think about the time of year - heading into the end of a fiscal year and with winter storms and all these other types of things - it does seem to me that is a natural time of year for more overtime for those reasons, just based on my own experience. I know that people are busier when a year-end is coming, that's why I'm really curious about the timing of the holiday and the impact it may have on the numbers and what it might cost the people of Nova Scotia in terms of their own Public Service employees to pay them overtime at that time of year. Obviously I'm thinking about those employees who will be government employees and may be not eligible for the new holiday.

I think I'm running a little bit out of time here, but maybe we'll come back to your thoughts on what the cost will be to the province in terms of overtime for that. Thank you very much.

MR. CHAIRMAN: We'll now move to the NDP caucus, and Mr. Wilson.

HON. DAVID WILSON: Welcome to Public Accounts. I know overtime has been an issue year after year. Of course with the reporting of salaries now, there is a lot of interest - especially when the report is released on the overtime paid to Public Service employees.

With overtime, who signs off on it? Is it a senior level manager? Is it the department head? Is it the deputy minister? When there is overtime within departments, who actually signs off on it or okays it?

MS. LANGLEY: Managers of units would sign off on overtime for their employees and there are a number of ways that happens. That is an authority that they would have as management employees. Overtime has to be authorized before it is worked and that is a management responsibility.

There are a couple of ways that happens. We do have an employee self-service system - it doesn't mean that the employees get to go in and put their own overtime in there, but it's one way of tracking it so that management can say, yes, this person has to work this overtime or has worked this overtime and is authorized to be paid for it. That is one mechanism we have for making sure that there is some accountability around the overtime that is worked.

The other way that it happens - particularly in bases across the province for the Departments of Natural Resources, Transportation and Infrastructure Renewal, and various others - is that it is a paper process. The employee would fill out a time sheet with the hours that would be worked and that would be signed off and authorized by the manager before it is paid. So there is an authorization process and accountability before overtime is paid.

MR. WILSON: Does it get up to the department head? Being a former minister, I don't recall signing off on overtime in the departments I was overseeing. I know the deputy minister, I think at times, may have looked at the overall maybe on a monthly basis. Is that something that deputy ministers would do on a monthly basis or would it be around when you're working on the budget that the deputy would look at the previous year's overtime and then try to work that into the current structure of the proposed budget that is coming up for the fiscal year?

MS. LANGLEY: In some of the larger departments, as you can imagine, it would be virtually impossible - or it would be very cumbersome - for authorization to have to go all the way up to the deputy minister. Managers do have that authority but that doesn't mean that goes unchecked, either. There certainly would be attention paid to that.

It would be different for every department because each department has their own unique need for and use of overtime. But through the budgeting process, certainly department heads would be looking at that with their finance directors and their finance

support. They would be looking at what kind of overtime was used. They would be looking for anomalies if there were situations over the previous year that caused an unusual use of overtime or perhaps not as much overtime used - what did we do this year that either increased our overtime or caused a decrease in the overtime?

Those things would certainly be part of the budget process because as you can imagine, there has to be a certain amount of money budgeted for overtime purposes. Those are things that would be looked at as part of the budget process by the senior officials in every single department.

MR. DAVID WILSON: How often do they report to your department? How often do departments report to the PSC about their clocked overtime? Is it on a yearly basis?

MS. LANGLEY: It's ongoing, so the data as it is entered in the payroll system every pay period, for example, would be recorded. Actually it's the Internal Services Department now that holds a lot of that data and we are able to pull it on a regular basis.

MR. DAVID WILSON: I believe you've been in the position about 10 months now, almost a year - have you seen any significant changes? I'm looking at some of the information you provided and I think the percentage of overtime is relatively the same - I'm looking at 2012-13, it was 1.89 per cent, 2013-14 it was 1.9 percent and this year's project is at about 1.88 percent. Have you seen anything in recent months since you took over the PSC that would concern you around overtime?

MS. LANGLEY: No, I haven't seen anything that has alarmed me in terms of any kind of anomalies in the use of overtime. As I've said, it's very consistent over a long period of time. Even department to department it's very consistent over a long period of time.

The only thing I would say is that I wouldn't want anyone to think that because of that consistency that we would be complacent about it. It is something that we really believe we can make a difference in, in terms of providing employees with some tools that might assist them in terms of the absenteeism and recruiting, putting bodies in place so that we don't have the need for it in some areas. We're going to be pretty aggressive about that over the next year to 18 months, to see how quickly we might be able to see a difference.

MR. DAVID WILSON: How is overtime calculated? My experience with the Public Service is that most of them, I assumed, were salaried employees. So the numbers we see here - how is overtime calculated? I mean if you are a salaried employee and you work the weekend because of H1N1, how is overtime calculated for that person? Is it in time in lieu?

I know we have some salaried employees - how many of the Public Service Commission are hourly employees and how many are salaried? Maybe answer that one

first and then maybe explain how overtime is calculated, if - I presume the majority of those people are - salaried employees?

MS. LANGLEY: I'm going to have Cynthia answer some of that question in terms of the hourly employees. Everyone wonders how the executive compensation package works for the salaried employees, or the EC employees. That generally is time in lieu and that is an hour-for-hour exchange.

Cynthia will - if you don't mind - maybe speak on that because she has more of the technical detail around how some of the other information is calculated.

MR. CHAIRMAN: Ms. Yazbek.

MS. CYNTHIA YAZBEK: I'll just add to what the commissioner has already noted. In terms of excluded employees, of which we have about 1,700 in the civil service, generally speaking excluded employees are not entitled to overtime. The only exception is any employees that are paid between pay bands EC1 and EC6, which are typically administrative staff or clerks, those types of positions are entitled to overtime pay. We only have approximately 200 of those across the entire civil service so in the bigger scheme of things it's not really a big issue, but I just wanted to highlight that there are some who are eligible.

Other excluded employees, at the discretion of the deputy head of the department, can from time to time be provided with time in lieu if a deputy feels that they've worked typically more than what you would expect an excluded employee to work in terms of overtime. So there is a certain amount of overtime that is somewhat expected as part of the role.

As an example, in the H1N1 scenario where employees may have been working a lot of overtime, which is not the norm, a deputy head does have the ability to authorize time in lieu. For excluded employees, we have had very few scenarios over the past number of years where we do have the discretion. The Public Service Commission does have the discretion to authorize overtime pay for excluded employees. It has happened maybe a few times in the last number of years. An example of that would be captains and unit managers in the correctional facilities who are excluded. If they were called in to actually work an unscheduled shift last-minute, they would in fact be paid overtime pay. We have only less than a handful of those kinds of scenarios across the civil service. So that's the excluded piece.

In terms of our bargaining unit employees, most of our bargaining unit employees are salaried in the sense that they have a regular biweekly salary, but when they work overtime, which is authorized work above and beyond their regular hours of work, essentially they're paid time and a half, so their biweekly pay is broken down into an hourly rate and they would be paid time and a half for those hours; in some scenarios, more

remote scenarios, double time. But employees have the option and they often take it, instead of being paid time and a half, to have hour-for-hour overtime. So if you come in and you work an extra day, the employee can opt to say, can I bank those hours that I've worked, and instead of being paid for them, take a day off in lieu of the overtime that I've worked. Hopefully that answers your question.

MR. DAVID WILSON: The figures that we see here in the chart that was provided, that doesn't account for maybe those employees who are in the EC level positions. Do you have to account for a day off, time in lieu, or is that the scenario that you just mentioned around people who choose to take the overtime?

MS. LANGLEY: I think the figures that you have are overtime costs, so that's right, if an EC employee was granted a day in lieu here or there, those numbers would not be reflected as a cost in the sense that those positions are likely not being backfilled. The employee is just taking a day in lieu of the day that they've worked.

MR. DAVID WILSON: We often hear, especially in certain departments - and I think the commissioner mentioned a few of those in her opening statements around the work that they do and really the caseload in Justice and Community Services, child protection especially. How much of a role do caseload and workload play in the overtime?

Have you tried to figure out that maybe by adding a few public employees or caseworkers - have you done that analysis to try to figure out, especially the higher volume users of overtime, the departments that use overtime, what exactly is the reason? Is it a caseload problem that we have with some of our workers that are just overwhelmed, really? We hear from them on a regular basis around the casework - not only from the employees, but you hear from the people they're trying to serve when they call your constituency office, for example. Have you looked at that and what have you done to try to mitigate the caseload that some of our workers work under?

MS. LANGLEY: We do know that particularly for our workers in Community Services, for example, that the work is intense, it requires long hours, it is stressful, and certainly there is no shortage of work. I think in Community Services, for example, it is something that the deputy minister and her senior team would be looking at on a constant basis. I think I would say that in some of those cases recruiting is one of the biggest issues we have, and that is making sure we have enough workers. It is really difficult to recruit sometimes quickly enough and to even get enough people to fill some of those workers.

Hiring for social workers has been something that I think we're focusing on. What we're trying to do now is pre-qualify and pool people so that we have people at our fingertips when you need bodies on the ground, or shoes on the ground. That is something we're introducing, and I think that so far it is going to be more successful for us in terms of being able to have people when we need them.

MR. DAVID WILSON: I know you mentioned that departments report almost on a regular basis, as soon as they input the overtime, so they're accountable to your department. Those areas, like the district health authorities, who do they report to around the overtime? What reporting mechanism - I know it may be outside your area, but who do they report to within government? Maybe I should know this but I don't know this.

MS. LANGLEY: I would say that the CEO of the health authority and certainly the boards would have been the bodies they would have reported to. Then the board would have reported through to the minister on various items. I don't know - I wish I could answer your question more fully. I don't know if it is as granular as overtime costs but - and I say this without any real knowledge - I would think that just when you look at the mammoth costs of that system that it would be something they would be looking at.

MR. DAVID WILSON: Has there been any discussion with your department - and we know the government is reconfiguring the district health authorities, amalgamating them - has there been any discussion on tying into the PSC around employees and overtime? Have you had any discussions on that?

MS. LANGLEY: I would say that there is a human resources stream of activity that is under the umbrella of the Internal Services Department. One of our executive directors, Steve Feindel, is chairing that stream of work that involves human resources activity with the health authorities and how the Public Service Commission conducts its business, and again, looking at ways to streamline our activities, our processes, our procedures, our policies, so that there are opportunities for saving and there are opportunities to do things more consistently and sharing resources. I think that would include looking at some of our challenges together.

We are at the very beginning of that work so I would hope that perhaps a year from now, or maybe a little further along, I would have more to say about how that process is working and how that merging of ideas and resources is going.

MR. DAVID WILSON: Thank you. Maybe we'll see it with the legislation that they will bring in in a month or so. Maybe we'll have you back and you can explain a little bit of what's going to happen.

Are there targets on overtime? Have you set out targets for the departments to say listen, I know we've been at 1.9 per cent, but we want you to get down to 1.5 per cent or 1.4 per cent? Has any of that taken place over the last year or 10 months since you've been there?

MS. LANGLEY: Not on a global level. I would think that perhaps in departments there are targets and that managers would try to keep their overtime costs or their use of overtime within a certain envelope, but we have not done that on a global level.

MR. DAVID WILSON: I know that often some of the reasons for the overtime, and I think you mentioned this in previous answers, some positions are left unfilled. I know there was a practice over the last couple of years, I know when I was the head of a department there was a directive from Treasury that if you didn't fill a position in a certain time, you lost it. I think you and I in our own department in CCH faced that. I think the reason for that is to push departments to utilize their FTEs. I would think that would help bring down some of the overtime. Has there been a directive since you've been at the helm of the PSC from the government stating just that - fill those positions or you lose them?

MS. LANGLEY: There is always concern around how and when we fill positions, so it's a similar one. While there hasn't been a directive in that regard, we have certainly been asked to look at every single position before filling it - do we really need to fill this position at this time? Is it a position that, as it currently stands, is still the kind of position we need? Should it be repurposed or reprofiled in another area, for example? Do we really need this position?

As you can imagine, over the last number of years, deputy ministers and executive teams and departments have scrutinized every single position before it has been posted. That has been part of making sure that we are making the best use of our resources and putting bodies where we absolutely need them, at all times. I wouldn't want anyone to think that that would add to our overtime because we aren't filling positions. I think we would want to be filling positions with a mindfulness where we know that if we don't have the bodies in the chairs we're going to get into a situation that will cost us more money than had we had a body there. We certainly scrutinize every single posting and that has been a practice for some time.

MR. CHAIRMAN: Thank you, Ms. Langley. We'll now move to the Liberal caucus with Mr. Rankin.

MR. IAIN RANKIN: You talk about absenteeism as a major impetus for driving these OT costs and I'm just wondering if you could elucidate a little bit more on specific absenteeism management tools that exist now and if you foresee any improvement to how we can improve on diminishing the absentees within the public sector.

Also, just out of curiosity, what is the policy surrounding progressive absenteeism? Is there a requirement that an employee brings in something like a doctor's note when they are sick or is that after a number of times? Is it similar to the way the private sector does it or is it a little bit more rigorous?

MS. LANGLEY: That's a big question. We have a number of mechanisms, or tools I would say, that we have introduced over the last little while - and some that are going to be introduced - that are designed to understand why we have the absenteeism that we have in the Public Service. I'll outline a few of those and then on the technical question around doctors' notes and how we actually account for that - we do have accountability, you do

have to be able to prove that you're really sick when you're sick. If I don't answer your question, I might ask Ms. Yazbek to jump in and help flesh out the details.

There are a number of things we are doing that we think would be a suite of tools that will help us understand absenteeism patterns more fully, as managers, and be able to work with our employees to keep them healthy and to keep them in the workplace or, if they are ill, to help them recover more quickly and get them back into the workplace.

I mentioned the psychological health and safety standards - we are looking at implementing those in the Public Service here. There is a pilot project underway currently at the Department of Communities, Culture and Heritage to look at what we already have in place that is in line with the standards and where we have some gaps that we might have to work on, in terms of our policies and our practices, so we can be a more supportive workplace for those who are dealing with or suffering from mental illness or have mental health issues. That's one mechanism. We see an increase in the number of people who are absent from the workplace because of mental health issues so we are really trying to get a handle on that.

Another thing I mentioned is the Employee and Family Assistance Program - that is now a 24/7 service. We hope that our employees will use that service to help them when they feel as though they're in crisis or they need support, and that might help them get the tools and the supports and the help that they need more quickly when they are feeling stressed or distressed - they or their family members. That is another tool that we're working on in a very robust way.

On occupational health and safety, we have put together a pool of resources at the Public Service Commission so that we can work on developing a safety culture in government. That work is really at the very beginning, but we're quite excited about that. That is designed to help prevent workplace injuries and stop dangerous practices before they begin. Those are a few preventive measures that we'll be taking.

I did mention the absence pattern reporting system. That is going to allow us to look across the Public Service at where most of our absences are and why they might be occurring. This is a tool that is really more about discovery. It's not meant to be a punitive tool against employees, but it's meant to discover if, for example, we see a pattern where an employee has an earned day off on a Friday and appears to be out every Monday afterwards, you may jump to the conclusion that that person is taking advantage of the system, but what might really be happening is perhaps that person has a mental illness or an addiction issue that maybe we can begin a conversation about. So this is what these things are designed to do - to help us find ways to help our employees and to keep them in the workplace.

Then there is the abilities case management system that we're currently in the process of hiring a vendor to help us with. What that will do is - when employees are out for

a short-term illness, we know that the quickest way to get employees back into the workplace is by having conversations with those employees or having some early intervention to see if we can't do something to help them feel as though they can come back into the workplace.

So between five and 10 days we would have an external vendor who would, with medical professionals and supports, help have conversations with those individuals outside of their managers in the workplace so they don't feel threatened or they don't feel as though they are being cornered by anybody, but that they would feel like they can have a healthy conversation around what we can do to make you healthy or help you get back to a place where you can come back into the workplace.

All of these things are designed to get at the absenteeism issue. Absenteeism costs the provincial government \$26 million a year, and as far as we are concerned, we want to, and we believe that we can, reduce that number if we can reduce the use of some of absenteeism - time off, and short- and long-term disability.

MR. RANKIN: Just a supplement to that - are you measuring the effectiveness of these programs, given that you mentioned at least five or six programs right there? Are we analyzing to make sure that the incremental cost is actually worth mitigating the \$26 million in absenteeism? Is there a financial component to these numerous programs that you mentioned?

MS. LANGLEY: Absolutely. There would be business cases, of course, prepared for each one of those things but just to take, for example, the abilities case management program - we believe that we can save, just in the early years, a couple of million dollars a year. It doesn't sound like very much against \$26 million, but it will make a difference. We believe that is a very conservative estimate on what we might be able to save.

MR. CHAIRMAN: Mr. Stroink.

MR. JOACHIM STROINK: Is there a specific number of days the civil service is allowed to have that are sick days, and I'm wondering - some use every single sick day a year that they're allocated and that all has an effect on productivity and cost. Have you looked at a different model for sick days than the current model? Also, when it comes to sick time, are you monitoring patterns and looking at workplace causes?

MS. YAZBEK: In terms of the structure of our sick leave, we do have, in both our collective agreement and our regulations, a structure for how sick leave is or what sick leave benefits, I guess, are available to employees. We have general illness, which is sort of any absences under three days and we have short-term illness, which are absences more than five days. That structure has been in place for some time and is part of our collective agreement and is part of our regulations. Any changes to that would certainly have to be negotiated as part of our bargaining process.

I think the focus right now at the commission, and as the commissioner has spoken to, is really looking at ways that we think even within that structure - which is a fairly generous benefit structure - we can reduce the costs and reduce the level of absenteeism within the civil service.

Right now it's still early days but we do feel that within that structure we would be able to make a difference. So looking at the structure itself is not something that we have focused on today but it certainly can be something that we would be having a dialogue with our unions in the collective bargaining process.

MR. CHAIRMAN: Ms. Miller.

MS. MARGARET MILLER: Thank you for your presentation, it was very informative so far this morning. You mentioned a little while ago about casual, fill-in employees. My question is, does this happen routinely while you are waiting? Would it be more efficient to have a pool of casual employees come in, rather than be paying out the overtime? And the salaries - for a casual employee coming in, do they actually pretty much match what the employee was being paid or is it substantially higher? How does that work?

MS. YASBEK: I'll start with the casual rate of pay. If and when we do hire casuals to come and do bargaining unit work that typically a unionized employee would do under a collective agreement, they are on the same pay scale as a bargaining unit employee. It might not be the exact same rate of pay but most of our positions have scales so they would be paid on the same scale. Certainly the cost of bringing in a casual would not be any higher and we're not paying the same benefit costs, so we're paying basically their hourly salary and 4 per cent vacation pay, as we're required to do under labour standards.

In terms of, I think your first question was around - could you repeat the first part of your question?

MS. MILLER: I didn't write it down either but basically does this routinely happen? Do you go first to overtime until you can find a casual employee to fill the spot, or do you routinely just go into bringing in a casual employee so that you don't have to be paying out quite a bit of overtime?

MS. YASBEK: It really varies across the civil service and it depends on the operation. As you can imagine, with really specialized positions, sometimes it's really hard to have a pool of casual employees to come behind and to fill those interim vacancies.

We've done a couple of things. I think the commissioner mentioned already in our last round of bargaining we negotiated a new structure on hiring pools, which we did not have before, which means we can post for a pool of people as opposed to filling a position. What that does is even if we have only two vacancies, we can actually sort of create a pool of 10 people, knowing that in the next six months, the next year, we will be able to call on

those people. They are ready - they have been screened, they are qualified to come to work. That's one way that we would be limiting the number of casuals we'd have to bring in.

The other things we have in many operations, in a few operations across government - deputy sheriffs is a really good example - are what we call relief employees. What those employees represent is a pool. They are employees who do not have any guaranteed hours of work but they are more or less on standby and we call them as required. Again, those employees are part of our collective agreement process, our structure. We have a pool of people that when we need someone - to avoid the overtime piece - we would be able to bring in a relief employee to backfill a shift, as opposed to asking a full-time person to work extra hours.

As I say, it really depends on the operation. In some areas where you have a lot of backfill, like deputy sheriffs, it's much easier to create and keep a pool of people. In other areas sometimes it's really difficult to have a pool of casuals, where they are really not getting a lot of work they won't stay because they're not getting enough hours. Sometimes those overtime costs are somewhat unavoidable but certainly we do have some tools in place that we can use.

MR. CHAIRMAN: Ms. Lohnes-Croft.

MS. SUZANNE LOHNES-CROFT: Thank you for your presentation. As indicated in the Auditor General's Report, there are a number of contracted employees within the employment sector here. In particular, I'm thinking of Communications Nova Scotia. Are they considered part of the civil service?

MS. LANGLEY: Employees of Communications Nova Scotia would be part of the civil service.

MS. LOHNES-CROFT: So anyone hired beyond regular civil servants - like consultants or . . .

MS. LANGLEY: No, if they are contracted to do a specific task or a specific job, the terms of their contract would be laid out, but they would not be civil servants.

MS. LOHNES-CROFT: Do any of them receive overtime pay?

MS. LANGLEY: Well, I would think that the terms of their contract would determine how they were remunerated for the services they provided. I would say, in my experience, it would be highly unusual to hire a contract employee and agree to overtime. You would set your rate or the terms of your agreement and those would be the terms, so I would find that highly unusual that you would pay overtime to a contract employee unless it was explicit in the details of their contract, which I don't believe I've ever seen, but that does not mean that it wouldn't exist at some point.

MR. CHAIRMAN: Mr. Maguire.

MR. BRENDAN MAGUIRE: First of all, thank you for your presentation. Bear with me; I'm just getting over a cold so my head is still a little foggy. I want to go back to the overtime. Is there a mechanism in place for those who are signing off on overtime that looks at the amount of hours that employee has worked that day, week, month to ensure the safety of the employee and the safety of the public? I use snow removal as an example. It's very unpredictable, obviously. It can make for long days and long nights. Do we have something in place in these departments to say - you've worked a lot of hours, we need somebody else there?

Also, what happens when that comes up and there is - we'll go back to snow removal - if all the trucks are on the road and you have to pull someone off the road, what do you do then?

MS. YAZBEK: In terms of the first part of your question - is there a way that we're monitoring overtime to ensure that the levels of overtime are safe - I would say it's really the department's responsibility or the manager's responsibility who is the one ultimately authorizing overtime to be consistently taking a look to ensure that the overtime that employees are being asked to work is reasonable and is safe in the context of whatever that operation would be.

As an example, with snowplow operators, Transportation and Infrastructure Renewal does have a core group of operators, and they also have what we call spare operators who are folks that are really kind of on standby, if you will - for lack of a better word - so that when we need additional assistance, additional help, we have another pool of operators that we can call upon. That will not eliminate, obviously, the overtime, but having our regular workers and some extra workers to assist during those really busy periods will certainly ensure that our overtime levels are safe.

Again, the manager is the one who really has a handle on who is working when and how often and would have a responsibility to ensure that overtime assigned is safe.

MR. MAGUIRE: So there's no department that's actually overlooking all the departments to determine who is getting the overtime and if the proper people are getting the overtime and if it's safe?

MS. YAZBEK: Not globally. Our collective agreements and our regulations say that generally speaking we want overtime to be allocated on a fair and equitable basis - it's sort of the standard that we use among qualified people so we want to make sure that the overtime, to the extent that you can operationally, is shared across the board, which would kind of inherently help with that issue around ensuring one person is not doing all of the overtime. Really, ultimately, it's the folks on the ground with their employees looking at

their operation that would be responsible for ensuring that their operation is being managed in a safe way.

MR. CHAIRMAN: Mr. Rankin.

MR. RANKIN: I'll just talk about TIR because they seem to be one of the bigger departments, and you talk about the winter season and the plowing that has to take place. I'm just wondering if we can diminish the amount of OT by looking further at the private sector and looking at the myriad of companies that are just craving the work, to get out to some of these rural areas - some of them are stationed in rural areas - and contract them. I know there is some of it, but why can't we just eliminate the OT paid out and really use the private sector for the benefit of the finances?

MS. LANGLEY: I am not and don't feel like I am informed enough to be able to answer the question to its fullest extent. I would say that in fact work is contracted out, particularly in rural areas in some instances. I would think that there is a cost to that as well, so I would rely on the experts at TIR. Should the committee like a more robust response to that, I would certainly engage with my colleague at Transportation and Infrastructure Renewal to provide some sort of analysis of just how they're doing that and how that juxtaposes with their costs of overtime.

I would say that to my knowledge, some of that is being done. Of course you've got to balance the cost of that with whatever your costs of overtime would be. I don't know what happens in years when it is a particularly difficult year with weather or not, whether the use of private sector contractors might be increased, I'm not certain. Should the committee like, I can certainly ask for that kind of analysis to report back to you.

MR. RANKIN: I'd like to have an analysis on that, on the OT specifically with plowing.

MR. CHAIRMAN: Thank you, Mr. Rankin. We'll ensure that our clerk makes note of that and we'll follow up with the departments to get that information.

MS. LANGLEY: I could add, and Ms. Yazbek might be able to add more to this - to my knowledge, snowplow operators themselves actually don't get overtime, they get a guarantee of so much remuneration for a winter season. That is because if they only worked when it snowed, and some years we may get no snow, then you can imagine that their season might not be very - it would be hard to provide for your family.

That does mean as well that in years when we get excessive snow, it's the same rate of pay. The overtime comes in when there are support workers around those snowplow operators, mechanics for example and various other supports. If I have that wrong I'm going to invite Ms. Yazbek to correct me, but I wanted to just point that out, that there are

certain checks and balances in place around particularly snowplow operations, to make sure that things are safe and equitable.

MS. YAZBEK: I would just add a quick clarification. Basically what we have is a 17-week period during the winter where our operators are on what is called a wage guarantee. Part of that is we want them essentially on standby all the time because the weather is unpredictable, and we don't know when we're going to need them.

As the commissioner mentioned, when they do work beyond the regular hours, there is no overtime being compensated for those periods because we need people basically ready for this 17-week period in case the weather requires. I just wanted to clarify that it is for a defined period where historically we've seen the need the most.

MR. CHAIRMAN: We've come to the end of the allotted time. We'll now move to the PC caucus with Mr. Houston for 14 minutes.

MR. HOUSTON: I have just a couple of things. I want to go back to time in lieu. Now I think I heard that time in lieu can be provided as an alternative to overtime and that's probably the exception rather than the rule. I just wanted to focus in on that if, in instances where time in lieu is offered, is that more of a casual relationship between a supervisor and the staff, where they determine that this would be a time in lieu situation? Is it more informal or is there a record somewhere as to the amount of time in lieu that is outstanding and has been used?

MS. YAZBEK: Yes, our agreements provide that the employee can have the option of time in lieu or paid overtime. That would certainly be a discussion between the employee and their manager, to say I would like to have these hours banked in an overtime bank so it is recorded, we do have a record of how much time would be owing, if you will, to the employee, but it is a conversation and a decision on the part of the employee. If the time is not taken within a certain reasonable time frame, it is ultimately paid out and those costs would be reflected here, but that option is available.

MR. HOUSTON: As you approach the end of a fiscal year, you would be accruing for time in lieu that is banked at that time? Could it straddle a year or is it always paid out at the end of the year?

MS. YAZBEK: I'll check perhaps during the next question, but my understanding is they have a defined period. I think it's two months within which the time has to be taken, or it can be extended with the agreement of your manager, but there is a defined period of time within which it has to be taken or it is paid out. I will confirm that for you.

MR. HOUSTON: I wanted to just touch on something my colleague mentioned about overworked employees and the potential impact on service level. I was kind of jolted to life when I heard your figure of \$26 million a year is the cost of absenteeism to the

people of Nova Scotia. I wonder if there has been any kind of review that looks at the departments that are accruing overtime, if they are the same departments that are having the major issues with absenteeism? Obviously when people get overworked and fatigued, service levels drop. These may be the same people who are then absent from work. Has there been any kind of analysis on the comparison of overtime and absenteeism by department?

MS. LANGLEY: It's one of the reasons why we think we need to get at the absenteeism issue. We do see a correlation between absenteeism and use of overtime. Now, having said that, I would say that the departments that use the most overtime and then where we see the most absenteeism are departments where - we must replace people when they are out. For example, at the Public Service Commission, if somebody is ill, I don't necessarily have to call somebody in to do the work of that person that day, but at Service Nova Scotia, if somebody is ill at an Access centre, somebody has to be at that wicket.

We also see that operational requirements or the nature of the work also is a contributor, so there are some connections there, but certainly we do see a correlation there and we hope that some of the tools we've put in place are going to help us get at that.

MR. HOUSTON: So your top five departments that generate overtime are most likely your top five departments that have an absenteeism issue as well? It's pretty safe to say that?

MS. LANGLEY: Yes, I have the numbers here somewhere and I will check them for you, but I believe that we see a consistent correlation there.

MR. HOUSTON: So in terms of that figure of \$26 million, what kind of elements make that up? Can you give us a quick verbal breakdown as to how that's coming about? You did reference a number of programs to try to combat absenteeism or address it. The cost of those programs - is that in the \$26 million number that you put out there?

MS. LANGLEY: The \$26 million number would entail all of our absenteeism so that would also include our short- and long-term disability replacements. It's not just the person who is off a day or two - this is all-encompassing. I think that answers your question, but I think you were asking why. That would be illness, workplace injury, people getting their hips replaced, people having knee replacements, people who have a mental illness. All of those things would be counted in that number.

MR. HOUSTON: So in terms of the programs that you've established to look into this matter, there is a cost to those programs. Do you know how much those programs cost per year? I'm just trying to relate that to the \$26 million, just so you have clarity.

MS. LANGLEY: Right now we're in a request for proposals process so we're in a competitive process for one or two of those programs, so if I talked about the costs here at

this moment, that might compromise our ability to make an arrangement in that area. I would like to say that we feel that the benefits will far outweigh the costs and as soon as we have those contracts settled, I'm quite happy to write to the committee and report exactly what the correlation is.

MR. HOUSTON: And the \$26 million, that's just for the departments that we're talking about here today. It would be interesting, just like I was asking about across the entirety of the government, in terms of overtime pay. I wonder if there has been a global look at the costs of absenteeism across all the excluded entities, like the Department of Health and Wellness. If you're developing programs to look into that and putting out RFPs for people to help with that, I wonder if you've kind of worked with those other groups and said hey - and DH and the DHAs - do they have issues with this, as well; can we do this together, is there a way? Has there been any kind of discussion like that across agencies?

MS. LANGLEY: Yes, in fact, the work I mentioned earlier where we have a stream that is being led by Mr. Feindel, looking at human resources activities, best practices and our processes, these are the conversations that are taking place.

I mentioned the abilities case management RFP that is out there now. We have asked that vendors look at the scalability of what they are prepared to offer government so that as we look at sharing service and sharing our approaches, it is entirely possible that at some point in time that service could be expanded to include other entities in the public sector. That doesn't mean that it's necessarily going to happen but we certainly want that option and we want to be able to explore it in a way that we don't have to go through the process again, so we have the option at the outset.

MR. HOUSTON: Okay, thank you. So if it's the same departments that are having overtime and the absentee issues, I wonder if there has been any analysis, to zero it down to see if it's the same people. Who would be ultimately responsible for looking at that and addressing those situations?

MS. LANGLEY: The absence pattern reporting system will allow us to look employee to employee. We will be able to look at, for example, across the civil service, the top 10 per cent of users of absenteeism, short-term illness, long-term illness and some of the reasons why. We can also look at individual employees and their patterns of absenteeism. Somebody may show a spike in their use of absenteeism, but we find out that they had their knee replaced this year or they had surgery or perhaps they had an illness that they were being treated for and it's an anomaly.

The system looks back over a five-year period so we can look at trends over a five-year period and assess whether or not somebody has a chronic illness that maybe we can help them with, perhaps . . .

MR. HOUSTON: Sorry - this system exists now or is the system being developed?

MS. LANGLEY: No, we're rolling it out right now.

MR. HOUSTON: Well that's good, I appreciate that. In terms of the cost to taxpayers of the overtime meal allowance, I wonder if you have a figure on how much that costs. Employees are entitled to \$10 for a meal voucher if they work a certain amount of overtime, I'm wondering if you know the cost of that and if you've looked at that recently.

MS. LANGLEY: We tried to get that for you today because we thought this question would be asked and we were unable to get it but I'll try to get that for you. It's just a matter of asking for too much, too fast, of the folks at Internal Services who did a great job for us in pulling the information we needed.

MR. CHAIRMAN: Thank you, Ms. Langley. Our clerk will follow up with your office about that information.

MR. HOUSTON: On absenteeism, do you know what the rate is of absenteeism? I think federally it's about 18.2 days per year, in that range. I'm just wondering if you have a corresponding . . .

MS. LANGLEY: Yes, 12.65 days.

MR. HOUSTON: I have three minutes?

MR. CHAIRMAN: Yes, Mr. Houston, you have three minutes left.

MR. HOUSTON: In terms of the analysis you provided by department, there were a couple that kind of stood out with their overtime rates as in relation to the other ones. One is Service Nova Scotia and Municipal Relations. I wonder if you can talk a little bit about that, why their overtime rate there seemed to make up 43 per cent of salaries with the overtime component.

MS. LANGLEY: That is an anomaly in the data and I'll explain why. As you know, Service Nova Scotia and Municipal Relations was recently divided so that we have the Department of Municipal Affairs and the Office of Service Nova Scotia. In doing that, separating out the data and how the data was collected, there were a number of cost centres that were not moved in time and so that is an anomaly. It just captures a small unit, which of course makes it look huge.

We left the data line in there because we thought it was really important for you to be able to see the previous years of Service Nova Scotia and Municipal Relations, but I can tell you that is an anomaly and make apologies to the committee, but we felt it was better left in than taken out.

MR. HOUSTON: Fair enough, I respect that. Fisheries and Aquaculture overtime accounted for 4.7 per cent of total salaries - it's more of a curiosity; it seemed like a high number to me. I'm just wondering what those employees might be working on that's accruing that much overtime.

MS. LANGLEY: I'm just going to take a look here, but I think it's related to the moving of Fisheries and Aquaculture over that time period - you'll remember that the department was moved and there was a great transition of employees and I think that most of it was related to that. Yes, I'm just looking at a note here - as part of that move, new employees came in and so there have been tighter approval processes put in place now, but through the transition period I think there was, again, an anomaly in practice and people were just needing to cover what they needed to cover.

MR. HOUSTON: Do I have time?

MR. CHAIRMAN: You have 40 seconds.

MR. HOUSTON: With that, I'll thank you for your answers this morning.

MR. CHAIRMAN: We'll move to the NDP caucus and Mr. Wilson.

MR. DAVID WILSON: Just quickly to wrap up the absenteeism rate - I know you said it was 12.65 days. You had indicated the overtime rate, we were lower than most, but kind of on average or on par with the federal government. How does that rate look compared to other jurisdictions? Is that comment for overtime - does it pertain to the absenteeism rate also of the employees?

MS. LANGLEY: Absenteeism - I think if my memory serves me, and I'm going to go on memory, we may be a little higher than other jurisdictions but not all. In terms of how public sector absenteeism is recorded, we feel that we're fairly consistent. We want that number to be lower. We're lower than our federal counterparts by a number of days. We still think we can do better than 12.65 days and so we are working aggressively to do that.

MR. DAVID WILSON: So if we were to invite you back a year from now, what would be the goals for overtime and for absenteeism? Is there a target? Maybe that's not - I don't know if you'd want a target on it, but I know you want to reduce it. Do you have something in mind that you're achieving? I guess no rate would be the best, but we realize that won't happen, so do you have a target that you're going to try to reach over the next year around overtime and absenteeism rates for Public Service employees?

MS. LANGLEY: We don't have a specific target, but our objective is to reduce both. We'd like to reduce the amount of overtime that we're using and we would love to see a reduction in absenteeism rates. I will say that - while earlier I said have me back in a year's time to discuss it - I think it will take more than a year for us to actually see the

effects, so more likely in the following year we would be able to see any meaningful reduction.

Having said that, we're working very hard to provide the tools that will help us and I hope that what you will see over the next five years is a downward trend rather than the consistent trend we have in overtime use and the troubling trend that we see in absenteeism. I would like to measure it over a four- or five-year period and look at the trend in that regard. I would say that based on what we'll see over the next year or so, it is not outside of the realm of possibility that we might put some targets in place.

MR. DAVID WILSON: Maybe we'll invite you in two years also. We'll get you back here to make sure you're held accountable to what you're saying today.

MS. LANGLEY: Thank you.

MR. DAVID WILSON: The composition of the Public Service Commission - there are many factors involved in overtime and especially around absenteeism rates. Do you know the makeup of the Public Service Commission? How many under-40-year-olds are working in the Public Service Commission today? Can you break it down to that specific to try to understand some of the issues we have?

MS. LANGLEY: We do have demographics and I can provide those to the committee. I didn't bring them today, but we do have a very high number of older workers - mid-career workers - but certainly a number of people who are in the 40- or 50-plus range. What that tells us is, aside from dealing with their own health issues, they have aging parents that perhaps they're looking after and they still have, in many cases, children. There are all kinds of reasons why having older workers might mean that they have need to take more time - certainly family time. These are some of the things we think we can get at with some of the programs that we've introduced.

In terms of the specific demographics, we can see those in the employee survey, How's Work Going? However, again, I'm happy to provide that to the committee.

MR. DAVID WILSON: Are you able to give us a figure on the number of Public Service employees who are about to retire in the next five years? I know around health - and I've talked a lot about health over the last number of years and it's unfortunate that I can't question you on some of that. We know there's a nursing shortage of maybe 800 over the next number of years - a crisis.

Are we seeing the same in the Public Service Commission? Are you concerned that over the next five years that because of the demographic of the makeup of the Public Service Commission that there could be some issues in a number of years with people retiring and not having a workforce that can step in and do the work?

MS. LANGLEY: We can certainly provide to you demographics around retirements and that would encompass those who are eligible to retire now and those who would be eligible to retire in the next number of years. I think like most organizations we have some concern about our aging workforce and that we need to pay attention to succession management. We are also working on the government's youth in the Public Service strategy. That is designed to attract and retain more young workers in an effort to keep them in Nova Scotia and keep them as part of our Public Service, but it is something that we are paying active attention to.

MR. DAVID WILSON: Can you indicate a shortage of qualified workers - an area of qualified workers? This question really goes out to those who are just about to go into university maybe. I know we talked about - just before the committee started around what jobs we should steer our young people to. Are there areas within government that you see a shortage of qualified young people to come in and take over those jobs that we could maybe bring more attention to so that young people who are trying to decide what path to take, that if they're thinking of the Public Service Commission, for example, or working for the government, that they can make sure that they have the education behind them?

MS. LANGLEY: That is part of the work of the youth in the Public Service strategy, is to be able to actually delineate and tell young people where there will be a need, what kinds of education paths they need, what kinds of requirements they will need, and then to give them the assistance to be able to follow those paths if they so desire.

MR. DAVID WILSON: What are you doing to attract young people? Are there more opportunities or are you trying to open up more opportunities for young people to come in? If it's an internship, for example, maybe, what are you doing to try to encourage that to happen?

MS. LANGLEY: Some of the areas that we're looking at as part of the strategy, which was announced in the late Spring are, in fact, providing internships and co-op opportunities for young people; providing career path planning for young people; mentorship once they get into the Public Service and having them understand the scope of opportunity for them in the Public Service. Those are just a few things that would be part of that strategy.

MR. DAVID WILSON: One of the things I've heard since the day I got elected I think is when people find out you are an elected official they think well okay, you must know where the jobs are within the Public Service or within government. Of course I always steered people towards the website and I think it's Career Beacon that takes care of the government job postings.

One of the frustrations is that they have some qualifications, they have education, they apply for a job but they don't hear anything. The ones who have been successful have

told me they've applied for 30 or 40 jobs and it was the 40th job application that they heard something back.

I know you can't respond to everybody, I know the sheer number of people who apply for jobs is probably immense, but to get some feedback to them, even if it's two or three months down the road, that tells them listen, you were a good applicant but here's an area where we needed some strength. That way it gives people an opportunity to maybe go and get additional education.

Is there a way of improving that? I haven't seen it yet but is there a way and will you try to improve that so people know what options are out there for employment within government?

MS. LANGLEY: Yes, we are trying to make improvements to that process, on a number of fronts. I think, as a courtesy, we should respond to everybody. It may not be a detailed letter around what was wrong or what was right, but I do think there's an issue of courteousness there that we owe the people of the province who step up and apply to become part of the Public Service so we are working on that.

We can provide advice. In fact we are working on some tools that we can make available to the public around how to even put together a resumé that matches up with one of the jobs - how to put your best resumé forward, for example - so that it's not a big mystery and how to read our postings in a way that makes sense to you.

The other thing we're working on, quite frankly, is to do an inventory of the jobs that we have and reassess those job descriptions because we believe that in some instances there could be some jobs where we are requiring experience that really is not necessary. In fact we should do some of the things that we're challenging the private sector to do and that is to provide training and internships and co-op programs to bring people along. All these things will change, I believe, the attractiveness of the Public Service for our young people, and Nova Scotians in general who do apply.

I would say that in the vast majority of cases where we have job postings, we literally get hundreds of applications. What makes responding to each one difficult - to respond in any detail - is that you can imagine going through those hundreds of applications but also just keeping the system moving.

I still think we can respond to people and I still think that where people would like to have some kind of feedback on how they can do things better, we should be able to provide those, whether they are tutorials on the Internet or whether we actually make people available to answer those questions.

MR. DAVID WILSON: I think with my remaining time I'm going to go back a little bit towards the health stuff. I know you indicated that you don't oversee that overtime.

The majority of the information out there, the stories in the newspapers and the media coverage around overtime - a lot of it deals with health care workers.

I know you indicated that Mr. Feindel is working, I would assume, with Health and Wellness or with the districts. What can the PSC offer the districts - well it will be two districts down the road - that could help get a handle on the overtime? Is that something you are pushing for? Are you actively working on it? I know Mr. Feindel is working on it but are you, as commissioner, working on saying no, we can bring that in, we have programs that we are initiating within what you oversee now? Could they benefit the two district health authorities that we're going to see down the road?

MS. LANGLEY: I don't feel as though I have enough information to answer that question, and I'm sorry about that. I don't feel as though I understand fully what programs the DHAs have in place currently. I wouldn't second-guess the processes they have - they're not struggling with the same things that we're struggling with. I do think that putting our heads together, though, and sharing our practices and our procedures - I can't help but think that sharing information and having conversations about how to get at some of the things that we're all trying to mitigate would be helpful. I don't think that answers your question, but I think it's the best I can do.

MR. DAVID WILSON: That's fine. I've been asking a lot of questions around amalgamation of the district health authorities. I ask everybody I can to see what information I can get from them. Definitely we'll be watching as the government moves forward with this initiative. It's important to look at and make sure that steps are taken to mitigate any negative impact on front-line health care. That's really where I come from.

I know I'm running out of time so I'm good with that. I appreciate the answers.

MR. CHAIRMAN: We'll move to the Liberal caucus and Mr. Rankin.

MR. RANKIN: I'm just wondering if you have any further dollar amount figures when it pertains to the overtime amount. You mentioned absenteeism and we've talked about that a lot, so that \$26 million figure is obviously significant. Do you have a figure, for example, for the time allotment that you go over to hire someone to replace a position so you have to bring in overtime? Do you have specific dollar figures in that range or any other category besides absenteeism to track where the overtime is actually originating from? What the cause is, in terms of dollar figures.

MS. LANGLEY: In the data that we've been able to provide and look at, we know that over the last number of years it has cost government between \$10 million and \$12 million in overtime. That is broken down by department so we can assess where our greatest costs are. The departments I mentioned are certainly departments where I know that the leadership is looking aggressively at how they can mitigate those costs. Some of the tools I've mentioned are designed to help corporately with those efforts.

MR. RANKIN: So in your judgment are there appropriate lines of authority to make sure that overtime is signed off on prudently and in advance of knowing when it's coming?

MS. LANGLEY: Oh yes, absolutely. I have not seen anything that would concern me around abuse of, or misuse of, or improper authorization of overtime. I think that our managers do hard work, as do our employees, and take it very seriously. It's really just a fact of life and in many instances, due to the nature of the work. There are certainly some things we can do better, but I have not seen anything that would concern me around anybody circumventing or abusing their authority in this area.

MR. RANKIN: So would the lower level managers always be offering that time in lieu to save the government money as opposed to paying someone time and a half? Would they be encouraging that sort of activity, or is it completely left up to the employee to choose time and a half or if they want double time?

MS. LANGLEY: It is up to the employee. It is the employee's choice. It's part of the agreement.

MR. RANKIN: Is there any incentive at all for not taking sick days or is there any incentive for somebody working 47 hours as opposed to 43 hours on their contract? Is that noted in senior management when people put that extra effort into their job and they don't take sick days? Is that relevant at all in the public sector or is it not?

MS. LANGLEY: No, there is really not an incentive program for people to not take their sick time, and there are some reasons for that. People - if they're ill, they need to stay home and there are health and safety reasons inherent in that. Obviously if I have a flu or I'm not well, I need to be able to get well and protect those I work with so that I'm not spreading it around - those considerations are there as well. We don't want people to feel like they can't take time when they are legitimately ill or have some circumstance that prevents them from coming into the workplace.

MR. CHAIRMAN: Mr. Stroink.

MR. STROINK: Again, my question really is based on the performance of staff and their work. I'm wondering, are there performance reviews of staff and how often does that happen? Is it through their career and are they rewarded that way for doing their job properly, within the time frame that they have?

MS. LANGLEY: Yes, we do have performance management. Performance reviews are done on a yearly basis. In an ideal circumstance, conversations or feedback would be held several times a year so that people understand what their expectations are and how they're doing. Targets are set at the beginning of the year and they are measured and celebrated at the end of the year. That is for each employee on a yearly basis.

That is what is supposed to happen. We know that sometimes it is missed, but it is an accountability of management to make sure that performance evaluations and performance appraisals are conducted.

MR. CHAIRMAN: Ms. Miller.

MS. MILLER: My final question for today - I know that our province isn't alone in this, many other provinces are facing exactly the same issues. Do you have a wish list? Is there something you are seeing in other provinces where they think they are doing a better job, that we could implement in Nova Scotia? It would be nice to see us as a trend-setter in learning how to handle the situation better.

MS. LANGLEY: In fact I do have a wish list and I don't mind sharing it. I think that the Public Service Commission sometimes, if not most times, gets a bad rap. It's because we are of two minds, if you will. One is that we have a compliance role, we have an accountability to legislation, regulations, policies, that sometimes makes us not so popular with the clients we serve in government. On the other hand, we are a client service-delivery organization and we serve our employees and the management across the civil service.

My goal would be to be providing tools and processes and mechanisms so that we are, in fact, one PSC serving one client, in a manner that is nimble and lean and efficient and that makes sense. We're digging into that work right now. We've already done some work in some specific areas. In fact this week we'll be meeting with my colleagues from other provinces and these are some of the issues we'll be discussing and I'm sure I'll be taking some ideas home from what is happening in other areas and sharing them here with the powers that be.

MR. CHAIRMAN: Ms. Lohnes-Croft.

MS. LOHNES-CROFT: The hour-for-hour program - have you done any cost analysis of how that saves the government money, as opposed to paying out overtime?

MS. LANGLEY: I don't have an analysis here. I would say that employees have the option of taking time in lieu. In some instances you are not paying out money so you almost feel like you are saving money. In fact when employees take time in lieu, sometimes you are in a predicament where you are backfilling so it's not necessarily something that is a wash. I'm not sure but we might be able to take a look at that data for you, if you like. It's not something that is broadly used as much as being paid your overtime.

MS. LOHNES-CROFT: There are productivity costs, too, not just financial costs.

MS. LANGLEY: Absolutely.

MS. LOHNES-CROFT: Has there been any study done on the benefits of outsourcing, as opposed to paying overtime?

MS. LANGLEY: I'm not aware of anything that has been done globally, but I know that in specific departments sometimes it makes sense as departments evolve to look at that. There would certainly be some implications, I would think, and some conversations that would be had with our colleagues in the union around some of that and that's a bit of an issue from time to time. I would say that perhaps in some instances, it has been analyzed.

We spoke a little earlier about how snowplow operators, for example, for overflow, might contract out some of that snowplowing service. Those would be instances when I think it would have been looked at.

MR. CHAIRMAN: If there are no further questions from the Liberal caucus, I'll allow Ms. Langley to provide some concluding statements.

MS. LANGLEY: Thank you, Mr. Chairman, and thank you to the committee. I will be brief. I thank you for the opportunity to come and bring you some context around our overtime use in government. We ended up talking a bit about absenteeism and some various other things. I think it's really important for all of us to have a firm understanding of the facts and certainly the context around those facts so that when we are looking at how we can evolve and better develop good public policy in these areas that we have, all of the arguments out there and all of the information, so that we can have informed discussions on these matters and that serves to make us better.

Your questions always make us think a little more broadly. They raise for us things that perhaps we hadn't thought of and so I certainly appreciate the perspectives raised here today. I can assure you that we will respond back to the committee on some of the outstanding items we were unable to provide for you today.

I would certainly invite any member, should they have any reason to raise questions after the fact, to get in touch with me and I'm happy to provide information that might help you in that line of your work.

I'd like to thank you, Mr. Chairman, and I would also like to thank Ms. Yazbek for being here with me today and for providing her insight into some of your questions. Thank you.

MR. CHAIRMAN: Thank you, Ms. Langley, and thank you also, Ms. Yazbek. You have been very helpful with your answers and also your offer to speak with any members of the committee afterwards.

There were a number of items of information that our clerk will be following up on with you and we look forward to seeing that information in the near term. Thank you again.

Our next meeting will be on September 17th, when we will examine the Workers' Compensation Board safety association funding.

With that, we are adjourned. Thank you.

[The committee adjourned at 10:47 a.m.]